

TO ADVERTISERS.

Transient Advertisements must be paid for in advance before insertion.

TO AGENTS.

Settlements of accounts will be required monthly, or the supply of papers will be discontinued. The daily and weekly issues will be furnished at the lowest cash rates and an exception will in future be made to this rule.

Another Constitutional Outrage.

For the past twelve months the popular cry in this Colony has been Reformation. When this session of the Legislature commenced, a majority of the members of the Lower House pledged themselves to effect the desired end, and did try, to the best of their small abilities, to carry out their professed views. It would be a useless task to more than refer the reader to the doings of the session now nearly brought to a close. All are too familiar with the circumstances which have attended the proceedings of the House, and the unfortunate issue to which they have been brought, by the reckless manner in which the members rushed at the Estimates prepared for them by the Executive. After a delay of seven months in the Lower House the Estimates have been sent to the Upper House, and as will be seen by reference to our report of the proceedings in that body on Monday, have been adopted as a whole, but not in detail—that is to say: The Legislative Council is willing to sanction the entire sum voted, but it is not willing that the Lower House shall have anything to say as to the manner in which it shall be applied! This extraordinary assumption of power by the Upper House will meet, we are sure, with the same condemnation as did the illegal position assumed by the Lower House in February last, when they endeavored to take the initiation of money votes out of the hands of the Executive, and retain it themselves—to introduce a system of jobbery and corruption that would enrich the dispensers of the patronage and their boon companions, while it impoverished the people. The Legislative Council, as a body, are interested in holding on to whatever power they imagine themselves possessed with, a tenacious and unyielding grasp; and the able but sophistical speech of the Colonial Secretary in support of his view of the case will awaken grave misgivings on the part of the public. In dealing with the Estimates, Mr. Young rightly says that the action of the Lower House in attempting to usurp Executive functions, was unconstitutional. But the hon. gentleman forgets that while he attacks the lower body for their illegal acts, he strikes an equally illegal blow at the very foundation of Constitutional Government—he attacks the very root of Representative Institutions; and that when he maintains that the "powers" of the "two bodies are co-ordinate," he makes (to use a mild term), a mistake that might be pardoned in a gentleman whose career had been marked with less of ability, less of liberality, and less of justice; but cannot be lightly regarded, when springing from so respectable a source as the Colonial Secretary, who, it will be remembered, has himself occupied a seat in the Assembly, and whose career therein was eminently distinguished for the deference which he paid to Constitutional right, and the power of the Assembly to vote not only a "lump sum" but the schedule of the Estimates. In his remarks, Mr. Young lays down the maxim that the Constitution of the Mother Country is our guide. But while he supports that "guide" with his breath, he stretches forth his hand to violate it when he attempts to take from the people, or their representatives, the power to say how the public money shall be spent. Now, who ever heard of the House of Lords usurping the rights of the Commons, and amending the items of a money bill? Such a thing could never be effected in the Mother Country except at the risk of a long and bloody revolution, the result of which might imperil the very existence of the Monarchy, as it has in times past cost an English king his head. Mr. Young was supported in his view by the Attorney General and the Chief Justice, the highest legal authorities in the Colony, and the motion was passed. The position taken by the Chief Justice appears to imagine that because the coroners of his officers have been tread upon by the Lower House, every item is bad. His Lordship maintains that the Governor alone has the power to interfere with his department. Now, if the Governor possesses such extraordinary power, why were the Judicial items submitted to the Lower House at all? The Chief Justice should remember that he himself presides over the Supreme Court by virtue of an Act passed by the very Assembly whose powers he now seeks to set at naught; that his salary is secured him by that enactment; and that the local laws he dispenses so impartially are the joint production of the Council over which he presides

and the Assembly, the powers of which he now derides, and to whom he tauntingly alludes "as a set of men." If the Lower House be the miserable puppets thus described, we question very much the power of His Lordship to even administer an oath in his Court, much less to try a case. As we do not, however, agree with the Chief Justice's dictum, we cannot call into question his authority; but only wish to point out how, reasoning by analogy, that the very weapon His Lordship levels at the Assembly may be turned against himself to his own disadvantage. The position assumed by the Council is untenable, simply because it is unconstitutional. The Assembly, as the representatives of the taxpayers, have an undoubted right to deal with the Estimates as they deem proper—that is, to refuse or lower an item. Should they refuse to vote Supplies, another House may be called, and should the second House prove no improvement on the first, and a "deadlock" arise, there will still be the Colonial Office to appeal to. But no "set of men"—be they the highest or lowest in the Colony—can set aside precedent and constitutional rule in the manner the Upper House seeks to do. Admit that the majority of the Lower House have proved recreant to the trust reposed in them—admit that they have themselves exceeded the bounds of constitutional law—two wrongs do not make a right, and the action of the Council is none the less inexcusable, unjustifiable, and outrageous. The destruction of the little liberty we possess at the present moment would be the most melancholy thing that could happen, and our fiscal embarrassments must not be suffered to endanger the constitution. From one evil we must not fly to another, and every attempt to trench upon the rights of the people must be opposed—let it come from whatever source it may. The laws cannot be violated with impunity, either by the rulers or the ruled—and the moment a Government usurps a power superior to the laws, it sounds its own death-knell, just as the people, when they resort to illegalities and atrocities to sustain their cause, rivet their own manacles. The Assembly will not, dare not acquiesce in this attack upon their privileges and the rights of those whom they represent. Once admitted the precedent and their power is gone forever. Hereafter it has been the Assembly that has been the aggressor; now that they have changed places with the Government, and are the assaulted party, they have the game in their own hands. As they play the cards depends the success or failure of representative institutions on the Island.

More Union Resolutions.

Will that select coterie of statesmen at the Legislative Assembly never have done with the Union question? Yesterday, for about the tenth time this session, a series of resolutions bearing on the subject were passed. What a country! What a people! Here is the last batch from the Assembly oven: This House, anxious to see the Colonies of Vancouver Island and British Columbia united under one Government, and relying on those liberal and enlightened principles which now happily govern the relations of Her Majesty's Government with the Colonies of Great Britain, passed on the 25th of January 1865, a series of resolutions expressing a willingness to submit to any Constitution which Her Majesty might be pleased to grant. Having from recent circumstances, however, learned that Her Majesty's Government, contrary to the general Colonial policy of Great Britain, contemplated the scheme for uniting the Colonies a withdrawal of representation from the Government of Vancouver Island, this House is reluctantly compelled to rescind those portions of such resolutions above-mentioned as might lead Her Majesty's Government to believe that this House, although still desirous of Union, is willing to relinquish Representative Government for any advantage that might accrue from such Union. And this House expresses its adhesion to the series of resolutions on the status of the Colony passed by this House on the 21st June 1866, and transmitted to Her Majesty. That His Excellency Governor Kennedy be respectfully requested to transmit the foregoing to Her Majesty's Secretary of State for the Colonies without delay.

Amateur Theatrical Performance.

In these days of discouragement and gloomy forebodings, it is quite exhilarating to see people exchange lugubrious for cheerful countenances, and once more "smile as they were wont to smile." The Amateurs of Victoria, who, as a body, have now held together for nearly four years, have perhaps contributed more than any other association in Victoria, to the hearty enjoyment of the citizens. Their entertainments have always been deservedly popular, and from the experience of the past, they have attained a proficiency that entitles them to rank with any company of non-professionals that will be found in any small community elsewhere. Last night the announcement that an entertainment was to be given by the amateurs in aid of the funds of the Cricket Club, filled the Theatre to its utmost convenient capacity. In the private boxes were His Excellency the Governor and family; many of the officers of the Fleet; and the hon. Joseph Needham and family, under whose especial patronage the performance was given; there were also present, officers of the Government with their families, members of the two Houses of Legislature and many of the principal inhabitants of the City and neighborhood. After some well executed pieces of music by the Orchestra under the management of Messrs Maguire and Palmer, the curtain rose on Charles Selby's excellent comedia in two acts, of the "Unfinished Gentleman," in which the principal characters were represented by Messrs B. F. Griffin as Lord Tatterton, Godfrey Brown as Lord Flummery, Mr. Callingham as Bill Downey (the Unfinished Gentleman), Mr. Clarke as Jim Miller and Mr. Wigham as Charles Danvers. The female characters being taken by Mr. Weynton and Miss Jenny Arnot. The piece was most successfully performed, the low comedy part of Bill Downey, having a masterly personator in Mr. Callingham, whose drooleries and self possession excited intense amusement. He was most efficiently supported by the rest of the amateurs, and also by Mr. R. G. Marsh as the bailiff and Miss Arnot as Miss Bloomfield's maid. The entertainment concluded with the theatrical musical burlesque of Lord Lovel and Lady Nancy Bell, with local hits and adaptations. In this piece, Runtifozzle the rejected Duke, was assumed by Mr. H. Rushton; Lord Lovel the accepted, by Mr. G. Brown. The Baron (Nancy's Papa) by Mr. Griffin; and the two villains of the deeper depth, Messrs Callingham and Keast; Messrs Clarke, Wigham, and others taking minor parts. The burlesque, in its dialogue, is not so sparkling and witty as some of Byron's, nevertheless contains "some

good puns, and plays upon words. Some of the local adaptations were excellent, and loudly applauded. For instance, where Runtifozzle steals Nancy's ring, supposing her to be dead, and meets Lord Lovel returning from the wars; the latter demands from him the stolen treasure. Rum—I bought it honestly, you bet. Lovel—Bought it from whom? Rum—From Fritz of Lillooet! 'Tis mine and I'll defend my ring. Lovel—More likely you'll want Ring defending you; also McOreigh. 'Twere well at once you feel'd 'em. Rum—Sir, I'll have Justice! Lovel—Then I'm sure you'll need 'em. The songs however which are aptly introduced with appropriate parodies, materially helped the piece through. Mr. Rushton looked and acted his part to perfection. Mr. Brown and the Baron were also excellent; and indeed there was no fault to find with any of the company, who all performed their roles most successfully. Of our and every body's favorite, Jenny Arnot, we need say no more than that she acted as charmingly, and looked if anything more captivating than ever. Judging from the crowded state of the House, above and below, we conclude that a handsome balance will remain for the fund.

The Missionary Meeting.

The meeting to which we briefly referred in yesterday's issue in connection with the Indian Missions of Metlakatla and the N. W. Coast, was held on Monday evening at the Collegiate School building; the Bishop of Columbia took the Chair at half-past seven. The meeting, which was influentially attended, included His Excellency the Governor and family, the hon. Chief Justice and family, the Clergymen of the Episcopal Church and their families, with others. The exercises opened with the hymn, "From all that dwell below the skies; a prayer followed by the Ven. Archdeacon Gilson, when His Lordship addressed those present in substance similar to courses at various times at the Cathedral and other Churches. Although there was not a very great deal to be shown from the labors of the Missions, yet Metlakatla was a flat contradiction to an conceived notion, that nothing could be done for the improvement of the Indian. The Rev. Mr. Doonan, of the Metlakatla and Naas River Mission, also addressed the meeting, detailing his experience amongst the natives in an interesting and amusing manner, and, as a subsequent speaker remarked—a very curious account. The Rev. Mr. Gribbell and family, leave this morning for the scene of Missionary work. J. J. Cochran, M. L. A., moved the first resolution briefly as follows, which was carried: "That in the opinion of this meeting, the Indian population of these Colonies are capable of an intelligent application of Christian truth, and of successful culture in the arts of civilized life."

The hon. Chief Justice Needham moved the second resolution, prefacing the same with additional observations: "That the cordial sympathies and earnest prayers of the Church, be invoked on behalf of those now about to enter upon the trying and difficult work of the Indian Missionary field, that their labors may be abundantly blessed with the Spirit from on High, and with fruit which shall endure unto everlasting life." The Archdeacon seconded the resolution, which was carried unanimously, and in his observations warmly eulogized the Rev. gentleman about to enter upon the Missionary field, as one who had testified his fitness during the course of a few months residence in the Colony. The meeting terminated with the singing of the hymn, "Praise God from whom all blessings flow" and a Benediction from the Bishop.

By Electric Telegraph

SPECIAL TO THE COLONIST AND CHRONICLE.

LAST NIGHT'S DESPATCHES.

Europe. New York, Aug. 25.—On the eighth the extraordinary commissioners, accompanied by General Clay, American minister, had an interview at the Palace of Peterhof with the Emperor, to whom they presented the following address. Sir:—The resolution we have the honor of presenting to your imperial majesty is the voice of the people whose millions of lips speak from single hearts. The many ties which have long bound the great Empire of the East to the great Republic of the West have been multiplied and strengthened by the unwavering fidelity of the Imperial Government. Throughout our recent period of convulsion words of sympathy and friendship, addressed to our Government by your Imperial Majesty fixed in hearts of all homage to that noble act of humanity which is especially referred to in the words of Congress. The peaceful felicit of an enlightened sovereign consummated the triumph over an inherited barbarism which our western Republic has only reached through long years of bloodshed. Therefore with profound emotion we offer your Majesty's emancipated subjects and to all people of this vast realm, our heartfelt congratulations on the providential escape from danger which led to the spontaneous expression of regard for the attempt and thankfulness for its merciful arrest. The storm of peril from which kind Providence delivered your Imperial Majesty brings with it the recent rained of mighty sorrow which recently filled every loyal heart in our own land at the sudden death of our Father. May the father of all nations and all rulers protect and prolong the lives which have thus been signally preserved in the voice of the people to which it belongs for the good of all mankind and for the glory of his name. (Signed) G. V. FOX.

Assistant Secretary, Navy. Liverpool, Aug. 25.—Noon.—Steamship Scotia sailed for New York to-day.

Berlin, Aug. 22.—The address of the King embodying the principles of the moderate party passed the Lower House by a large majority, only 25 negative votes and these were of Poles and Catholics.

Munich, Aug. 24.—The districts which Bavaria cedes to Prussia are those of Graisfeld, Heller and Tharann, in lower Franconia containing 40,000 inhabitants.

Paris, Aug. 23.—Empress of Mexico has gone to Mixamac.

Vienna, Aug. 25.—The Emperor Francis Joseph has determined to strengthen his Empire as well as his hold upon the affection and loyalty of his subjects by granting a new constitution and ministry to Hungary. The new ministry will soon be formed upon the

basis of the constitution granted to the Magyars in 1848, the revocation of which was the cause of the Hungarian revolution that year. London, Aug. 25.—Evening.—Advices received from Point de Galle on the Island of Ceylon via the Persian Gulf and Mediterranean, state that civil war had broken out in Japan; money market firm. Consols closing 87½ for money.

Turin, Aug. 26.—Empress of Mexico is here on her way to Miranias. Liverpool, Aug. 27.—Cotton steady, sale to-day 10,000 bales; uplands at 13½c; Broadstuff dull and decline. London, Aug. 27.—Consols 88½ for money 5, 20s 72½.

Leipzig, Aug. 26.—A large and influential meeting held here declared in favor of the Union of Saxony with Prussia.

Birmingham, Aug. 27.—The reform demonstrations to-day was an immense success and passed off without disturbance of any kind. The platform adopted was in favor of residential manhood suffrage; an address was delivered this evening in support of the platform.

London, Aug. 27.—Evening.—Consols closed 84, 5 20s 71. The money market is easier.

Berlin, Aug. 27.—The peace treaty signed at Prague will not be made public till ratified by the contracting powers. It is believed, however, that the general features are almost identical with the original preliminaries intimated at Nicosberg on 26th of July.

Eastern States.

New York, Aug. 27.—Chilean agents are trying to purchase the ram Dunderberg—Price \$350,000.

Dean Richmond died last night.

California.

Petaluma, Aug. 27.—At eight this morning our city was startled by a terrific explosion at the depot of the Petaluma Railroad. On arriving at the depot the locomotive was found to have been blown up and the scene which presented itself beggars all description. The locomotive was sent into fragments and hurled in every direction; two hundred yards from the locomotive lay the engineer, his head blown from his body. On the platform of the depot lay Col. Lewis nearly cut in two, near him S. R. Dodge, agent of the depot, with his breast crushed in, Charles Yeoman, express messenger, was found badly injured, but he will recover.

San Francisco, Aug. 27.—Arrived ship David Crockett, 114 days from New York, bark Rainier 8 days from Teaketa, Sheet Anchor 9 days from Seabeck. Sailed—26th, bark Adelaide Cooper, Puget Sound. 27th, Ship Nicholas Biddle, Puget Sound.

Mexico.

A correspondent of the London Post says, I have information as to the object of the Empress Charlotte's visit to Paris, it is to obtain a release from the obligation of paying what is due to France out of the proceeds of the Mexican Custom House. Invasions of 'insurgent republican bands have greatly reduced the proceeds, which are now confined to Vera Cruz. The Mexican Government requires with strict economy \$500,000 monthly for indispensable expenses; for some time it has not been in receipt of more than two-fifths of that sum from Customs. The financial condition of the Mexican Government is thus reduced to the lowest ebb.

YESTERDAY'S DESPATCHES!

Europe.

Paris, 25th.—The Empress Charlotte will not return to Mexico, and it is conceded that the Empire of that country approaches its end. It is authoritatively announced that if additional French troops be sent to Mexico it will be only in sufficient numbers to protect the interests of French subjects during the fall of the Empire, and to secure the quiet evacuation of Mexico. They will not be used to sustain the dynasty of Maximilians. Prague, 25th.—The session of Venice to Italy was fully accomplished before the treaty of peace between Prussia, Austria, Italy and Bavaria was signed. Austria freely and unreservedly ceded Venice to Victor Emmanuel. Cholera statistics of London show a decrease in the number of deaths. Official provincial correspondence praises the moderation of Napoleon, and credits him with the desire not to disturb friendly relations or to interfere in German politics; also asserts that hopes of a different character had arisen from the influence of opposition parties in France. The article adds that Prussia will take steps for the incorporation of the conquered North German States without delay.

The London Times editorially says:—Napoleon has disappointed the lovers of mischief, and proved staunch to his principles. Other London journals express satisfaction with his action.

The Prussian Government intended to announce to Parliament on August 15th the annexation of the conquered Northern States, but was prevented by the influence of ill-considered parties at Court.

The Monitor contains intelligence from Tiflis to the effect that to Russian Daghestan has risen in insurrection.

New York, 26th.—Special despatches by the Cable confirm the signing of the treaty of peace at Prague on Thursday 23d.

A Moscow despatch of the 24th mentions the arrival there of the American naval officers, who were treated with distinguished consideration.

A Dresden despatch of the 24th says: The King has ordered the Saxon Ministry to co-operate with the Prussian authorities. The Frankfurt Assembly has voted a loan of 12,000,000 florins. The Bank rate was reduced to four per cent.

Munich, Aug. 25.—The siege was raised yesterday.

Cape of Good Hope.

Cape of Good Hope mails of July 20th report many shipping disasters on the east coast of southern Africa. No American vessels mentioned.

DELAYED DESPATCHES.

Eastern States.

A meeting of Army officers favorable to the President's policy was held at Willard's Hotel yesterday, Gen Steadman presiding. The meeting decided to call a National Mass Convention of soldiers at Chicago, on the 7th of September, to ratify the proceedings of the Philadelphia Convention. The President's programme for a

visit to Chicago to attend the ceremonies of laying the corner stone of the Douglas monument, is fully announced. He will leave Washington on the morning of the 28th of August, attended only by Seward and a select company, in the car (of the Lincoln funeral train. He will stop at Philadelphia, New York, Albany, Auburn, Niagara Falls, and at Buffalo over Sunday; on Monday, Cleveland and Detroit, and arrive at Chicago on Wednesday evening, September 5th.

Central America.

Panama advises say the Colombian Congress adjourned after ratifying the hypothecation of the Panama Railroad bonds in London by President Mosquera for seven and a half million dollars.

The Republic of Costa Rica has refused to join the South American alliance.

Most of the Spanish fleet had arrived at Tabiti on route for Manila. Admiral Nunez was not expected to survive his wounds.

The United States frigate Lancaster had arrived at Panama, and would leave immediately for Callao.

Washington, Aug. 20.—In accordance with the President's proclamation of the 19th, declaring null and void Maximilian's paper blockade of Matamoros and other Mexican ports south of the Rio Grande, the commander of the Pacific squadron has received orders to send two ships to Mazatlan and Guaymas, to protect United States interests on the Pacific coast.

New Advertisements.

To Builders.

TENDERS ARE REQUIRED FOR THE erection of a Wood Provision Store and a Brick Builders' Workshop at H. M. Naval Yard, Esquimalt. Dimensions and particulars can be seen at the office of the Paymaster in charge at the Naval Yard. Persons desirous of contracting for the same are invited to send in tenders with their respective Plans and Specifications at the office of the Paymaster, H. M. Naval Yard, Esquimalt, 28th August, 1866.

NOTICE.

TAKE NOTICE THAT BY DEED DATED the nineteenth day of May, A.D. 1866 (a copy of which and deed has been filed with the Registrar of Deeds in the City of Victoria, B.C.), the said Robert Henry Stone, of the City of Victoria, B.C., and the said John Wilkie, of the City of Victoria, B.C., have by deed conveyed unto the said Robert Henry Stone, of the City of Victoria, B.C., all that certain lot or parcel of land, situate on the north side of the Victoria Harbor, and bounded by the said Victoria Harbor on the east, by the said John Wilkie on the south, and by the said Robert Henry Stone on the west, and containing the area of one acre and one half, more or less, and the said Robert Henry Stone and the said John Wilkie have by deed conveyed unto the said Robert Henry Stone, of the City of Victoria, B.C., all that certain lot or parcel of land, situate on the north side of the Victoria Harbor, and bounded by the said Victoria Harbor on the east, by the said John Wilkie on the south, and by 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Shipping Intelligence.

PORT OF VICTORIA, VANCOUVER ISLAND.

ENTERED.
August 27—Stmr Active, Williams, New Westminster.
Stmr Enterprise, Swanson, New Westminster.
Stmr Diana, Wright, Port Angeles.
Sloop Letitia, Adams, Port Angeles.
Schr Mergles, Robinson, Port Angeles.
Schr Mergles, Robinson, Port Angeles.
Sloop Northern Light, Belvidere, Port Angeles.
Sloop Lady Franklin, Pritchard, San Juan.
Sloop Red Rover, Patton, N.W. Coast V.I.
25—Stmr Emily Harris, Frazer, Port Angeles.
Schr Thornley, Thornton, San Juan.
Stmr Josie McNear, Crosby, Port Angeles.

CLEARED.
August 27—Stmr Cyrus Walker, Cove, Port Angeles.
Stmr Active, Williams, New Westminster.
Stmr Enterprise, Swanson, New Westminster.
Sloop Josie, Clark, S.S. Island.
Sloop Red Rover, Patton, San Juan.
Sloop Northern Light, Belvidere, Port Angeles.
28—Stmr Almon, Collins, New Westminster.
Sloop Ocean Queen, Smith, San Juan.
Schr Thornley, Thornton, San Juan.

PASSENGERS.
Per steamer JOSIE McNEAR, from Puget Sound—A.W. Moore, G.W. Goodall, Mrs. Clark, Rev. Mr. Bicknap, lady, and four children, O. Engstrom, H. Adams, W.A. Hook, J. Lyons, F.W. James, D.P. Johnson and lady, George Shaw, Stephen Baker, Mrs. Mollie, Spruick, J.P. Allen, J.W. Horton.

CONSIGNEES.
Per steamer JOSIE McNEAR, from Puget Sound—Hutchinson & Co., Spörberg, Dodgson, Reynolds, Baker, Shroppe, Grosby.

IMPORTS.
Per steamer JOSIE McNEAR, from Puget Sound—33 head cattle, 23 head yearlings and calves, 64 sheep, 1 box butter and 5 boxes fruit.
Per schooner MEG MERRILLIES, from Puget Sound—73 tons coal, to J.P. Couch.
Per sloop LATITIA, from Puget Sound—140 M. lard, to W.P. Sayward.

Legislative Council.

Monday, Aug. 27, '86.
The Council met at 3 p. m.—Present—The Hon. the President, Colonial Secretary, Attorney General, and H. Rhodes.

CATTLE TRESPASS, &c.
The Attorney General gave notice of the introduction of a bill to regulate the law of trespass on land by cattle and other animals. Also, notice of a Bill to amend the Bills of Sales Act.

APPROPRIATION BILL.
Council in committee on the Appropriation Bill, (Estimates) Mr. Rhodes in the chair.

The Colonial Secretary said that in former sessions the bill had received but little discussion in this Council, that body thereby following the example of the House of Lords at home, and adhering as closely as possible to Parliamentary procedure. He regretted that the bill this year was sent up in a state which placed the Council in a position to be unable to pass it without discussion. It was not only a money bill, but it was many other things besides. Such being the case, it was desirable to examine and ascertain what were the powers proposed by the Legislature of this Colony. The Council had not to go to other colonies to examine their Constitutions, and obtain precedents from them. We need not cite the precedents afforded by the Constitution of the United States. What we had to consider was, what was our own Constitution, and what were our powers. We had no written Constitution, and the powers of the Legislature were not defined, and the action of another limited, as really was the case in some of the Colonies; but the Legislature in this Colony was created by the act of the Crown; and the powers possessed by each branch were co-ordinate.

[Mr. Young here quoted from the Governor's commission and instructions, to show from whence the Legislature took its existence, and within what limits its action was confined.]

He then proceeded to say that in the Schedule to the Bill before the Council powers were assumed that not only did not exist, but in reality were unconstitutional. He called attention to the money being granted to the Crown, only conditionally, which was both novel, as well as unconstitutional in an Appropriation Act. He cited some instances. For instance the Clerk of the Assembly is appointed a certain salary, and he is appointed to an office, or additional duties are imposed upon him. Now it was very clear that a condition or appointment of any kind was not within the powers of the Legislature as appointed by the Crown, it might be that the House of Assembly were anxious to avail themselves of the services of that functionary, to assist at their deliberations. The hon. gentleman continued to point out instances where like objections appeared; indeed, he said there was scarcely a vote which a condition or appointment was not attached; in which some infringement on Executive functions was not to be found. Again, it would be found that the House of Assembly had initiated grants of money; and had in some cases voted more money than was asked for. Now nothing could be more clear, than that in this Colony the Assembly had no power to initiate any money vote, or impose any burden on the people. We had to take our own Constitution—the Constitution of our Mother country, as our guide in all such matters; and he was fortunate in being able to place before the Council some information of a high order, that bore directly on this point. It was well known that the House of Commons did by Standing Order, refuse to entertain any proposition for the granting of money, except asked for by the Crown; but one of the most independent members in the House (Mr. Ayrton) had recently discovered that the present order was not sufficiently stringent in its provisions, and he therefore had brought in an amendment. With the permission of the House he would quote from Mr. Ayrton's speech, and it was to be remarked that Mr. Ayrton's resolution, and his exposition of constitutional practice, was not questioned by one single member; but was indeed confirmed by so high an authority as the Chancellor of the Exchequer (Mr. Gladstone), and the motion passed without division—the property of hedging round the money powers of the House, with still greater restrictions being unanimously concurred in.

"Mr. Ayrton—in proposing to the House to take into consideration two of their standing orders, with the view of introducing certain amendments into them, said he always understood that one of the fundamental principles of the Constitution of the House of Commons, was that in granting or voting away public money, or in increasing the national burdens by levying any tax upon the people, but that they should leave the proposal of such measures to the Crown; and that it was the duty of the House of Commons, rather to sit in judgment upon the measures introduced by the Crown; and, if possible, to reduce and diminish the taxation of the people, than to attempt to increase the amount of their burdens. Were he to revert to the ancient practice of the House, it would be easy for him to show that the course of proceeding in centuries past was such as rendered it impossible for any private member to have departed from this constitutional principle; because, in those times, the House was required merely to take into consideration messages from the Crown, requesting aid for some public purpose, to grant that aid by their vote, and to appropriate the sum granted to the particular objects in view; so that no opportunity was given to any private member, to introduce any plan of his own, by which any addition might be made to any charge upon the people. One member had, by a Bill he had introduced to the House, gone so far in usurping the functions of the Crown, as to propose to regulate the retiring pensions which were to be paid to public servants. He could conceive no function more peculiarly that of the Crown, than determining the salaries of public servants; and afterwards asking Parliament for the wherewithal to meet the expenditure thereof. The principle he proposed to apply by his motion, was one of vital importance; to depart from it was unconstitutional. He had remarked a passage in one of the leading journals a few days ago, where reference was made to an incident bearing upon the subject before the House. Sir Robert Peel was asked in opinion upon the draft of a new Constitution for Greece. On examining it, he put his finger upon what appeared to him to be a blot in it. By its provisions, the House of Representatives would have been allowed to propose grants of public money; and he expressed the opinion, that a Constitution framed in imitation of England's, could not possibly be carried out, until the House of Representatives were prevented from taking the initiative in making grants of public money, or imposing taxes upon the people. "The Chancellor of the Exchequer—I rise to tender my thanks to the hon. member for the Tower Hamlets for having taken upon himself the duty of recommending to the House the course he has. But I desire to say one word respecting the matter, because it may be imagined by some hon. gentleman that the House is asked to part with some portion of its valuable liberty. That is not the case. The House will continue to have full authority to pronounce an opinion upon every proposition made by the Executive Government whether negatively or positively; but it may be the business of the House to point out public charges which ought to be incurred; and this may be done by an address to the Crown on a Resolution of the House. The former appears to me the ancient and truly constitutional method of proceeding when the House desires that some charge shall be incurred, because it does not finally bind the House to make the grant; and it throws upon the Crown the responsibility of either accepting or rejecting the address of the House (Hear). This duty, then, will remain for the House to discharge after the motion of my hon. friend shall have been adopted. No doubt, it is a duty which the House exercises with very great reserve; and that wise reserve will, I am persuaded, continue, my hon. friend has, I believe, truly described the remark made by Sir Robert Peel with respect to a constitution for a foreign country; and I believe that in all cases of Colonial Legislation in this House during the last 30 years the principle we are discussing has been introduced. Before the Government of Canada was constituted as it is at present, the proposals on the part of private members for grants of public money formed one of the most glaring evils for which the House was asked to provide a remedy. That remedy has been successfully applied, and my hon. friend is assisting us to give consistency and efficacy to rules which are of undoubted authority and ought to be of universal application.

"Mr. Walpole thought no one could doubt that the object of the hon. member for the Tower Hamlets was in entire conformity with the constitutional practice of the House. He entirely agreed with the motion of the right hon. member, and thought he deserved the thanks of the House."

It will be seen, (continued the Colonial Secretary) that the House of Commons simply gives effect to the recommendations of the Crown, or rejects them, and does not encumber its votes with conditions, nor does it trespass upon Executive functions; it knows its own powers and privileges too well; and surely no one will assert that the powers of the House of Assembly in Vancouver Island are greater than those of the House of Commons at home. He (Mr. Young) was really sorry that it should not be his lot upon this occasion simply to move the passing of this Bill, but after what he had stated, he must be seen that that course was impossible, and he sincerely regretted it. The Bill was, as he before asserted, not in harmony with its title; it was a mixture of all sorts of things, and they must amend it as they would any other Bill. He commented upon the manner in which the Bill had been introduced in the other House, until now, when the duration of the Assembly could be extended by hours; and he could be seen, by summarily moving the rejection of the Bill of the House.

The Attorney General looked at the Bill as an affront, considering the political status of the Council. The like of such a Bill, probably, had never before been put before a Council or Executive. He was in duty bound to mention some matters, which were a direct invasion of the rights of the Executive, and the Executive from his instructions, was also in duty bound to reject such a Bill. The Governor dare not assent to it, and the Council dare not pass such a Bill. It dictates to the Executive the mode in which the public service is to be carried on, which is a direct violation of the privilege of the Crown. He saw no other mode to deal with it except in refusing to pass the Bill of the House.

On the general character of the Bill and its general details, the Chief Justice desired to offer no comment. He offered his remarks in regard to that portion of the Bill respecting the body over which he had the honor to preside. He felt it incumbent on him to direct the Council, and offer his advice not to pass it. He was waited upon by a deputation of the Lower House in regard to such details, and the deputation was shown the details of the business passing through no less than seven different Courts; making it necessary that the Chief Justice and the officers of the Court to often sit up at night, and even on Sunday to carry on the business of the department; and he told the deputation that he would be abandoning his duty if he permitted any departure from the proper routine. He was surprised that the gentlemen would think of not adhering to the views then made known. The officers had nothing in common except, perhaps, the word "Registrar," and the duties of the officers would be confused. He had pointed the fact out, and explained the matter to the deputation. The chief officer of the Court was compelled to know and understand the nature of every case before the Court almost as much as the Judge, which necessarily entailed his continued presence in Court. His Lordship took much pains to show that the duties of the two Registrars would conflict, and that the business of the Supreme Court would go to the wall. The House of Assembly, it seemed to him, had no more power to deal with the Supreme Court or its officers than any honorable gentleman present. That rested only with the Governor, and with the Judge to recommend to the Governor the manner and the character of such officers as he thought fit to appoint. The Chief Justice simply to usurp functions which did not belong to them. It was calculated to do mischief to the judicial department, and he would advise the House to reject anything which would interfere with it.

The Colonial Secretary observed that details were not interfered with by the Council; it happened only, was it usual to determine, as, for instance, in the laying down of the daily wages of Policemen.

The motion to strike out the Schedule was passed unanimously.

Class I was then amended in accordance with the previous motion.

The Preamble was passed as read; also the title of the Bill.

The Committee rose and reported the Bill complete, with amendments.

READ BILL.

Council in Committee on a Bill to amend the Road Act, Mr. Rhodes Chairman of Committee. After some consideration the Bill was passed.

The Council adjourned till Tuesday.

MUNICIPAL COUNCIL.—A full meeting of this Council was held on Saturday evening. His Worship the Mayor in the chair. The first matter discussed was the application of Messrs Astrie & Co. The Clerk was instructed to order the removal of the shanties complained of within a month. The Committee on bridges reported that on examination of the records they find that the previous Mayor and Council had refrained from assuming the responsibility of keeping the bridges in repair, and recommended the continuance of the same policy until the present Act be amended, to enable the Corporation to collect a revenue to meet the expenses attending such repairs. A communication was read from the Colonial Secretary, stating that the Surveyor General had pronounced the piles of James Bay, and the supports so decayed, that almost the entire structure must be rebuilt, in consequence of which, for the safety of the public it was necessary to close the bridge to all but foot passengers; and enquiring what steps the Corporation intend to take to maintain this public thoroughfare. It was further stated that the Government were prepared to contribute the \$250 voted by the House towards defraying the cost of the work necessary, or in view of the present circumstances of the Corporation, the Government was prepared to carry out the work, provided the repayment of expense over and above the \$250 is guaranteed out of the City funds when collected. The Clerk was ordered to transmit to the Government a copy of the report of the Committee, as also a copy of the resolution passed by the Council in reference thereto, stating that in the opinion of the Council, the repairs might be effected without great outlay; and that as the amount which would be at the credit of the Corporation, when the whole of the half per cent tax shall have been collected, will not more than cover their liabilities, the Council are quite unable to entertain the propositions submitted to them by His Excellency. Councillor Goswen was granted two months' further leave of absence. Reports were made by the Clerk in reference to nuisances abated, and sidewalks repaired. Council adjourned till Monday next at the usual hour.

WITNEY SELLING.—Charles Montgomery and William Taylor, two able bodied young men, with a semblance of respectability about them, were yesterday brought up for sentence before Mr. Pemberton, for supplying spirits to Indians. Inspector Welch said there was a probability of Taylor being shipped away, but not of Montgomery. The Magistrate said he could not withhold sentence any longer and arrangements might be made to get them away afterwards. Montgomery was ordered to pay a fine of \$250 or suffer six months' imprisonment with hard labor, and Taylor was sentenced to a fine of \$100 or four months imprisonment.

FOR THE NORTH.—The steamer Otter, Capt. Swanson, will sail for ports on the East Coast of this Island and the Northwest Coast of British Columbia, among the passengers will be the Rev. Mr. Gribbell and Mrs. Gribbell, of the Melakala Mission; and Mr. Weynton of the Fort Rupert Station of the Company.

REAL ESTATE TAX.—The Treasurer gives notice that the assessed tax of one per cent for the year ending 30th June last, on all real estate in the Districts of North Saanich, South Saanich, Lake and Salt Spring Island, is now due and payable into the Treasury on or before the 24th September, after which five per cent. will be added.

REMOVAL.—Solomon Bros. beg to inform the public that they have removed to the Brick Building, Government Street formerly the Enterprise Saloon. They have received per "Mohawk," a large assortment of Men's Clothing and Under Clothing, which they will sell lower than any house in town. Give them a call.

VICTORIA RIFLE CORPS.—Second class firing, Monday and Thursday at 3.30 p. m., 3d class firing, Wednesday at 4 p. m., equal drill, Tuesday and Friday at 7.30 p. m. By order, J. Gordon Vinter, Lieut. and Adjutant.

STEALING BOATS.—Skilgrass a Skidegate Indian, pleaded guilty yesterday to stealing a pair of boats of the value of \$5 and upwards from the premises of Mr. Jesse Cowper on Yates street, and was sentenced to one month imprisonment with hard labor.

THE "SPARROWHAWK."—This man-of-war is now out ten days from San Francisco. Her non-appearance is accounted for by the fact that she had orders not to steam on the upward passage.

NAVY CONTRACTS.—Tenders are required by the Paymaster in charge at the Naval Yard, Esquimalt, for the erection of a wood store and brick workshop. Particulars may be obtained at the Paymaster's office.

BILLS PASSED.—The Homestead, Coroner's Jury, and Imprisonment for Debt Bills, are promulgated in yesterday's Government Gazette.

FASHION CONCERT ROOM.—This popular place of amusement is nightly crowded with visitors, and the attractions offered are of a first class order. Give "Charley" a call.

FOR NEW WESTMINSTER.—The steamer Enterprise left yesterday forenoon for Fraser River with passengers and freight.

CAPSIZE.—A sailing-boat was capsized yesterday, and the only occupant, a man, was rescued by a boat from the shore.

THE FIDELITER arrived at Portland yesterday morning.

NEEDLE-GUNS.—France has ordered 200,000 stand of the Prussian needle-guns.

HOLLOWAY'S OINTMENT AND PILLS.—No Uncertainty—Impure blood or imperfect action of some organ, bores disease; purify the former and balance the latter; the unalloyed danger and good health restored. By exerting this corrective power, Holloway's Pills have earned a world wide reputation, and the correctness of the principle by which they eradicate disease and institute health, has been proved by an unvarying success extending over thirty years. A Pill or two taken at bed time, when the system and blood are oppressive, will cause the liver to more energetic action, and restore cheerfulness, and a clear complexion. Holloway's medicine is unrivalled, and at once removes all the distressing distention, flatness, and uneasiness after eating, which are the most annoying dyspeptic symptoms.

Auction Sales.

TO-MORROW

Friday, August 31,
AT 11 O'CLOCK, A.M.
BY ORDER OF THE IMPORTER,
AT SALESROOM,
Wharf street.

J. A. M'CREA
WILL HOLD SPECIAL

LIQUOR SALE!

ON A
LIBERAL CREDIT
IN ORDER TO
Close Invoices!

50 cs Jules Robin & Co. Brandy
25 cs Bowzy Champagne
10 cs Orange Bitters
10 cs Cherry Brandy

Burgundy,
21 cs Chambertin
21 cs Muits
9 cs Grand Mosseux

[AND
10 cs fine old Port Wine
40 cs Pure Spirits
100 cs Champagne
10 cs Cherry Cordial, &c.

A New and Grand Epoch in Medicine—Dr. MAGGI'S is the founder of a new Medical System! The human system, whose vast internal does enfeeble the stomach and paralyze the bowels, must give precedence to the man who restores health and appetite, with from one to two of his extraordinary Pills, and cures the most violent cases with a box or so. His wonderful and all healing Salve. These two grand specifics of the Doctor are fast superseding all the celebrated nostrums of the day. Extraordinary cures by Maggi's Pills and Salve have opened the eyes of the public to the inefficiency of the so-called remedies of others, and upon which people have so long blindly depended. Maggi's Pills are one of the class that are swallowed, by the dozen, and of which every box full taken creates an absolute necessity for another. One or two of Maggi's Pills suffices to place the bowels in perfect order, tone the stomach, create an appetite, and render the spirits light and buoyant. There is no griping, and no reaction in the form of constipation. If the liver is affected, its functions are restored and if the nervous system is feeble, it is invigorated. This last quality makes the medicine very desirable for the wants of delicate females. Ulcers and eruptive diseases are literally extinguished by the direct action of Maggi's Salve. It is the only medicine that cures all skin diseases, such as Bores, Boils, Carbuncles, Cuts, and all abrasions of the skin. Maggi's Salve is infallible. Sold by J. MAGGI, 1111 Broadway, New York, and all Druggists, at 25 cents per box.

GREAT TONIC IN A SMALL COMPASS.—"A substance of volumes of medical advice may be compressed into a sentence: Keep the digestive organs in a vigorous condition, the bowels regular and the liver fairly up to its work. But how to do this is the question. Puzzling as it may seem, every man and woman who is acquainted with the virtues of Maggi's sugar-coated PILLS, can answer the query promptly. Their extraordinary properties cover the whole ground. Is the stomach weak and anorectic? They give it vigor and activity. Are the bowels constipated? They relax and regulate them. Is the liver sluggish or congested? They bring it back to its duty. It is their office to restore the system to a natural condition, without undue force, without suffering, without any revolting nausea, and they do it. Many complaints of the organs referred to are complicated with disorders that affect the skin, the muscles, the flesh and the glands. 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